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# Contents

- Acknowledgments .....8**
- Foreword.....9**  
*By CAROLYN PROEBER, PUBLISHER OF ART CALENDAR MAGAZINE*
- Preface..... 10**
  
- PART I: YOUR LIFE**
- CONVERSATION #1**
- Death and Taxes: Estate Planning for Artists.....13**  
*WILLS • FINANCIAL POWERS OF ATTORNEY •  
HEALTH CARE ADVANCE DIRECTIVES • ESTATE TAX (GENERALLY) •  
COPYRIGHT (AS AN ASSET OF ONE'S ESTATE) •  
DISPOSITION OF ARTISTIC WORK AFTER DEATH*
- CONVERSATION #2**
- Death and Taxes, Part 2.....16**  
*VALUATION • STATE ESTATE TAX • FEDERAL ESTATE TAX*
- CONVERSATION #3**
- Income Tax Deductions for Donating One's Work to Charity .....20**  
*INCOME TAX CHARITABLE DEDUCTION • COST BASIS •  
ORDINARY INCOME • FAIR MARKET VALUE • GAIN*
  
- PART II: YOUR WORK**
- CONVERSATION #4**
- Photographing Your Work: Who Owns the Rights? .....25**  
*COPYRIGHT BASICS • WORK OF AUTHORSHIP • BUNDLE OF RIGHTS •  
DERIVATIVE WORK • LICENSING*  
*Fig. 1: Works of Authorship and The Bundle of Rights*
- CONVERSATION #5**
- Giving Teeth to Copyright Law: The Billy-Bob Story.....29**  
*COPYRIGHT (THREE-DIMENSIONAL ART) • COPYRIGHT (USEFUL ARTICLES) •  
COPYRIGHT (REGISTRATION) • COPYRIGHT (DERIVATIVE WORK) •  
INTELLECTUAL PROPERTY BASICS • BILLY-BOB TEETH, INC. v. NOVELTY, INC.*
- CONVERSATION #6**
- Protecting Ideas.....32**  
*COPYRIGHT (ORIGINAL EXPRESSION) • COPYRIGHT  
(IDEAS, METHODS, SYSTEMS, USEFUL ARTICLES) • PATENT*
- CONVERSATION #7**
- Using Copyrighted Material in Your Work.....34**  
*COPYRIGHTABILITY • PUBLIC DOMAIN • INFRINGEMENT •  
FAIR USE DOCTRINE*  
*Fig. 2: Using Images in Your Work*
- CONVERSATION #8**
- Quotations and Compilations .....37**  
*COPYRIGHT (COMPILATIONS) • COPYRIGHT (ORIGINALITY REQUIREMENT) •  
PUBLIC DOMAIN • INFRINGEMENT • FEIST PUBLICATIONS v. RURAL TELEPHONE  
SERVICE Co., INC.*

<b>CONVERSATION #9</b>	
<b>Owning the Piece (as opposed to) Owning the Copyright .....</b>	<b>38</b>
<i>LICENSES (EXCLUSIVE AND NONEXCLUSIVE) • ASSIGNMENTS •</i>	
<i>VIACOM INTERNATIONAL V. FANZINE INTERNATIONAL</i>	
<b>CONVERSATION #10</b>	
<b>Joint Authorship and Work Made for Hire .....</b>	<b>40</b>
<i>JOINT AUTHORSHIP • WORK MADE FOR HIRE DOCTRINE •</i>	
<i>COMMUNITY FOR CREATIVE NON-VIOLENCE V. REID</i>	
Fig. 3: The <i>Reid</i> factors	
<b>CONVERSATION #11</b>	
<b>Developments in the Work Made for Hire doctrine .....</b>	<b>43</b>
<i>FORASTE V. BROWN UNIVERSITY • BUNDLE OF RIGHTS • WORK MADE FOR HIRE</i>	
<i>DOCTRINE • COPYRIGHT ASSIGNMENT AND TRANSFERABILITY</i>	
<b>CONVERSATION #12</b>	
<b>Batman v. The Artist: Copyright's Architectural Exception .....</b>	<b>46</b>
<i>ARCHITECTURAL WORKS COPYRIGHT PROTECTION ACT • PICTORIAL, GRAPHIC AND</i>	
<i>SCULPTURAL WORK • JOINT AUTHORSHIP • LEICESTER V. WARNER BROTHERS</i>	
<b>CONVERSATION #13</b>	
<b>Legal Self-Help: Why Contracts are Like Dentures .....</b>	<b>48</b>
<i>CONTRACT BASICS • LICENSES AND RELEASES • PUBLIC DOMAIN •</i>	
<i>LOW-COST LEGAL SERVICES</i>	
<b>CONVERSATION #14</b>	
<b>All Rights Reserved: International Copyright Treaties .....</b>	<b>51</b>
<i>BUENOS AIRES CONVENTION • BERNE CONVENTION • COPYRIGHT NOTICE</i>	
<b>CONVERSATION #15</b>	
<b>Copyright Damages: The Importance of Registration.....</b>	<b>53</b>
<i>BOUCHAT V. BALTIMORE RAVENS, INC. • COPYRIGHT (STATUTORY DAMAGES) •</i>	
<i>SUMMARY JUDGMENT • COPYRIGHT (NOTICE AND REGISTRATION)</i>	
<b>CONVERSATION #16</b>	
<b>Protecting Your Work on the Internet .....</b>	<b>56</b>
<i>COPYRIGHT NOTICE • COPYRIGHT REGISTRATION (ONLINE WORK) • COPYRIGHT</i>	
<i>REGISTRATION (AUTOMATED DATABASES) • COPYRIGHT (STATUTORY DAMAGES)</i>	
<b>CONVERSATION #17</b>	
<b>Copyright Registration: Yes, There's More .....</b>	<b>58</b>
<i>REGISTERING COLLECTIONS • SIGNIFICANCE OF "PUBLICATION" • COPYRIGHT</i>	
<i>(CLAIMANT V. AUTHOR) • GROUP REGISTRATION FOR PHOTOGRAPHIC WORK</i>	
<b>CONVERSATION #18</b>	
<b>"Leaf" Me Alone: First Sale and Derivative Works .....</b>	<b>61</b>
<i>COPYRIGHT (FIRST SALE DOCTRINE) • COPYRIGHT (DERIVATIVE WORKS) •</i>	
<i>COPYRIGHT (ORIGINALITY REQUIREMENT) • MUNOZ V. ALBUQUERQUE A.R.T Co. •</i>	
<i>ANNIE LEE V. DECK THE WALLS, INC.</i>	
<b>CONVERSATION #19</b>	
<b>The State and Federal Courts .....</b>	<b>64</b>
<i>TONEY V. L'OREAL U.S.A., INC. • ALTERNATIVE DISPUTE RESOLUTION •</i>	
<i>JURISDICTION • VENUE • STATE AND FEDERAL COURT SYSTEMS</i>	
<b>CONVERSATION #20</b>	
<b>The Visual Artists Rights Act: A "Banner" Decision</b>	
<b>Restricts Moral Rights .....</b>	<b>67</b>
<i>POLLARA V. SEYMOUR • VISUAL ARTISTS RIGHTS ACT • MORAL RIGHTS</i>	
<b>CONVERSATION #21</b>	
<b>Copyright Duration: You do the Math.....</b>	<b>70</b>
<i>ELDRED V. ASHCROFT • COPYRIGHT TERM EXTENSION ACT OF 1998 •</i>	
<i>PUBLIC DOMAIN • CALCULATING COPYRIGHT DURATION</i>	

<b>CONVERSATION #22</b>	
<b>United We Stand: Go Directly to Jail</b>	
<b>Using US Insignias in Your Art .....</b>	<b>73</b>
<i>UNIFORMS • INSIGNIAS • RED CROSS • “SMOKEY BEAR” •</i>	
<i>“WOODSY OWL” • FLAGS</i>	
<b>CONVERSATION #23</b>	
<b>Trademark Basics .....</b>	<b>76</b>
<i>TRADEMARK • SERVICEMARK • FEDERAL TRADEMARK REGISTRATION</i>	
<b>CONVERSATION #24</b>	
<b>Using Trademarks in Your Art.....</b>	<b>78</b>
<i>TRADEMARK INFRINGEMENT • TRADE DRESS • RIGHT OF PUBLICITY • FIRST</i>	
<i>AMENDMENT • NEW YORK RACING ASSN., INC. v. PERLMUTTER PUBLISHING</i>	
<b>CONVERSATION #25</b>	
<b>The Big Can of Worms: Depicting People in Your Art.....</b>	<b>81</b>
<i>MODEL RELEASES • RIGHT TO PRIVACY • RIGHT OF PUBLICITY • WENDT v.</i>	
<i>HOST INTERNATIONAL • COMMERCIAL SPEECH • FIRST AMENDMENT •</i>	
<i>HOFFMAN v. CAPITAL CITIES/ABC, INC. • ESTATE OF PRESLEY v. RUSSEN •</i>	
<i>COMEDY III PRODUCTIONS, INC. v. SADERUP</i>	
<b>CONVERSATION #26</b>	
<b>Painting Famous Golfers: More on Using People</b>	
<b>and Trademarks in Your Art.....</b>	<b>84</b>
<i>ETW CORP. v. JIREH PUBLISHING, INC. • PIRONE v. MACMILLAN, INC.</i>	
<b>CONVERSATION #27</b>	
<b>Analyzing Source Material.....</b>	<b>87</b>
<i>GRAMMAR • HISTORIC SOURCE MATERIAL • BUILDINGS AS TRADEMARKS •</i>	
<i>TRADEMARK CLASSES</i>	
 <b>PART III: YOUR BUSINESS</b>	
<b>Conversation #28</b>	
<b>Art on Consignment: Gallery Creditors.....</b>	<b>95</b>
<i>CONSIGNMENT LAWS • LOCATING STATE STATUTES • UNIFORM COMMERCIAL</i>	
<i>CODE • NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE</i>	
<i>LAWS • SIGN LAWS • SECURITY INTERESTS</i>	
<b>CONVERSATION #29</b>	
<b>Art on Consignment: Who Bears the Risk of Loss?.....</b>	<b>98</b>
<i>INSURANCE • STRICT LIABILITY • BAILMENT</i>	
<b>CONVERSATION #30</b>	
<b>Buy-Sell Agreements: Avoiding the Accidental Partner.....</b>	<b>101</b>
<i>BUSINESS ENTITY FORMATION • LIMITED LIABILITY COMPANIES •</i>	
<i>FUNDING BUY-SELL AGREEMENTS • BUSINESS VALUATION</i>	
<b>CONVERSATION #31</b>	
<b>Blue Shirt: Anatomy of a Commissioning Contract.....</b>	<b>104</b>
<i>PUBLIC ART • COMMISSIONING AGREEMENTS • CONTRACTS (BREACH)</i>	
<b>CONVERSATION #32</b>	
<b>Eye on Nonprofits.....</b>	<b>107</b>
<i>FORMING A NONPROFIT CORPORATION • STEPS FOR OBTAINING FEDERAL</i>	
<i>TAX-EXEMPT STATUS</i>	
<b>Appendix 1: Online Resources .....</b>	<b>110</b>
<b>Glossary.....</b>	<b>112</b>
<b>Index.....</b>	<b>118</b>
<b>About the Author.....</b>	<b>123</b>
<b>Order form.....</b>	<b>125</b>



## Foreword

Much legal trouble can be avoided by sticking to the basics: “ask permission,” “get it in writing,” “do unto others.” Even so, there are specific procedures for asking, writing, and doing – and anyone can bump into a bad situation as easily as stepping on a tack. When those bad times happen, having a good attorney (or a lousy one!) on your side can literally change your life.

Knowledge can help protect you. However, learning about The Law can be difficult. The Law has a peculiar structure, and Legalese is a peculiar language. In the theater known as the courtroom, scripts are embellished with “wherefores,” “therefores” and every “heretofore” and “thenceforth” one can imagine. Even in the various stages of rehearsing for a lawsuit (or just preparing a contract in hopes of avoiding one), it’s easy to glaze over when your attorney starts to explain the strange and seemingly unfair twists of The Law.

Rare is the attorney who can explain things clearly, simply and humorously. Beth Russell has that gift. She has been writing our “Art Law” column for several years; I get the feeling that when she sits down to write her articles, she pours a cup of coffee, settles into her favorite chair, closes her door, and opens her heart. Copyright concern? “Let’s chat about it.” Trademark or patent question? “Not likely to affect this artist, but since you asked I’ll be happy to address it.”

Consignment laws ... galleries and the Uniform Commercial Code ... laws of privacy and painting celebrities ... creating art under a pseudonym ... reproducing national symbols in one’s artwork ... these are just a few of the topics Beth has covered. She brings The Law to life.

Betcha can’t put the book down.

Carolyn Proeber  
Publisher, *Art Calendar Magazine*



## PREFACE

Shortly after establishing my law practice I received a telephone call from Carolyn Proeber, publisher of *Art Calendar* magazine. She was calling for permission to re-print an article I'd written for another publication. We chatted, and soon I was writing regularly for *Art Calendar*.

Over time, a funny thing happened. Visual artists wrote to the magazine saying they enjoyed my articles. It wasn't just that they appreciated the information, or found it useful. They said they actually enjoyed reading the articles.

I wondered, "Do they realize these articles are about law?"

They did. And they kept reading, so I kept writing.

As our relationship evolved, *Art Calendar* readers and I chose the topics for my articles together. They'd write to me describing legal issues they faced in their professional lives and I'd try to sort those issues out, in accurate yet understandable terms. Our give-and-take was such that my contributions to the magazine started to feel less like articles and more like...conversations.

*Art Law Conversations* is part textbook, part guide, part collection of tales. Most "conversations" appeared originally as articles in *Art Calendar*. Each is based upon facts and circumstances a real-life artist actually confronted. Each tells a true story.

*Art Law Conversations* is a starting point, not a treatise. For some artists this book will be enough. For others, and the attorneys representing them, it provides a base for further study. I have endeavored to present the content in a conversational tone using short sentences, plain English and "first person" narrative. Attempts at humor may or may not be successful; I hope the reader will award at least a few points for effort.

My message to visual artists is this. You must understand the fundamental legal concepts that govern your profession. You need not master these concepts – that's the lawyer's job. But you should build your own **art law knowledge base**, consisting of resources and information that will allow you to recognize legal issues, ask intelligent questions and know when to seek professional advice.

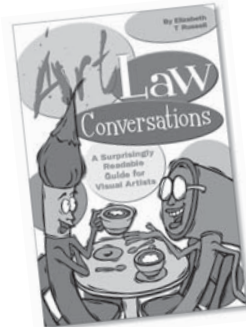
*Art Law Conversations* offers a solid foundation for your art law knowledge base. In fairness, so do other fine books on the subject. The difference between other books and this one: you might actually enjoy reading *Art Law Conversations*. Maybe you'll chuckle; maybe you'll breathe a little deeper; maybe you'll allow your shoulders to relax. And with that, maybe you'll absorb more information; maybe you'll gain more confidence.

Maybe you'll shout, "I get it! I get it! I finally, finally get it!"

*Elizabeth T Russell*  
*Madison, Wisconsin*

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